

The product was sold also under the name "Plus-Tabs." A placard entitled "Are You Slipping" relating to the product "Plus-Tabs" was attached to the cash register in the store. When a customer would ask for "Plus-Tabs," the label from a bottle of *Peptotabs* was removed and a label for "Plus-Tabs" was placed thereon. The label of the "Plus-Tabs" was stated to be identical with that of the *Peptotabs*, except for the name of the product "Plus-Tabs" and the name of the distributor.

LABEL, IN PART: (Bottle) "100 Tablets Samson Peptotabs Each Tablet Containing: Ferrous Sulphate Exiccated, 3 gr.; Iron Peptonate, 1½ gr.; Manganese Glycerophosphate, ½ gr.; Calcium Glycerophosphate, 1 gr.; Lecithin, ¼ gr.; Thiamin Chloride 2.0 mg. * * * Distributed by Samson Drug Co. 126 N. 13th St., Phila. 7, Pa."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the labeling accompanying the article were false and misleading since the article was incapable of fulfilling the promises of benefit stated and implied:

(Placard entitled "Learn to Live Again") "Learn To Live Again You'll take a New Lease on Life after Peptotabs Puts Plenty of Red Cells Into Your Blood Stream";

(Placard entitled "Peptotabs strengthens the body") "Peptotabs strengthens the body with rich red blood by increasing the natural production of healthy Blood Cells Only Peptotabs gives you this Special strengthening action";

(Placard entitled "A New You") "A New You if you don't feel like your one-time self Getting Old? No Vigor? No Pep? You owe it to yourself to take Peptotabs For sparkling up your Blood Action Don't delay—Buy Peptotabs today!";

(Placard entitled "Men * * * Women Over 40") "Men * * * Women Over 40 If you are listless feel out of sorts! Run Down and just can't get the energy to get started use Peptotabs To renew that Vim Vigor and Vitality Don't delay Buy today";

(Placard entitled "Are You Slipping") "Are you Slipping? Has middle age gotten you? Can't keep up? Tire easily? Try Plus-Tabs for Vim, Vigor and Vitality! Past 35? Feel Old? Get Pep, Vigor Are you losing that happy, carefree spirit of youth? Then do something about it. Don't let middle age drag you down and rob you of your cheerful disposition. Try Plus-Tabs, a remarkable tonic tablet made for men and women over 35. Results are so pleasant you will be reminded of your younger days. What a grand and glorious feeling to feel like yourself again."

The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: March 28, 1951. Default decree of condemnation and destruction.

3419. Misbranding of alum. U. S. v. 33 Cartons * * *. (F. D. C. No. 29514. Sample No. 68535-K.)

LIBEL FILED: August 4, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about May 4, 1950, by the Norton Products Co., from Los Angeles, Calif.

PRODUCT: 33 cartons, each containing 12 4-ounce packages, of *alum* at Seattle, Wash.

LABEL, IN PART: (Package) "Norco Alum USP Powdered Potassium Alum Net Wt. 4 Oz."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "As An Astringent Douche For Leucorrhea" was false and misleading since it suggested and implied that the article was effective in the treatment of leucorrhea, whereas the article was not effective for such purpose; and, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

DISPOSITION: April 30, 1951. Default decree of condemnation and destruction.

DRUG FOR VETERINARY USE

3420. Misbranding of Tuttle's American Condition Powders. U. S. v. 138 Boxes * * *. (F. D. C. No. 30373. Sample No. 86630-K.)

LABEL FILED: January 8, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about October 24, 1950, by the Tuttle's Elixir Co., from Boston, Mass.

PRODUCT: 138 boxes of *Tuttle's American Condition Powders* at Los Angeles, Calif.

LABEL, IN PART: (Box) "9 oz. when Packed Tuttle's American Condition Powders Keep Your Horse in Good Condition * * * Fabricated from the Following Ingredients Charcoal, African Ginger, Iron Sulphate, Gentian Root, Quassia Chips, Magnesium Sulphate, Fenugreek, Fennel, Soda Bicarbonate, Elm Bark, Yellow Bark, Sulphur, Salt, Salt-Petre, Middlings."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the label of the article were false and misleading since the article was not effective for the purposes stated and implied: "* * * Condition Powders Keep Your Horse in Good Condition * * * When horse is thin and appetite is not improving, double the dose, morning and night * * * Condition Powders Used for All Forms of Indigestion. It increases the digestive fluids in the stomach. It assists peristalsis action of the intestines, thereby being a resistant to digestive disturbances. It enriches the blood and serves to keep the blood stream through the different organs of the body in proper tolerance. It can be profitably used in connection with the following conditions:—Loss of appetite, improvement of the skin and coat, overwork, exhaustion, nervousness, overfeeding, urinary troubles, inorganic conditions of the kidney and urinary organs, is an assurance against cholic, and will regulate the bowels. Incapacities resulting from impaired digestion will be prevented by the timely use of Tuttle's American Condition Powders, and is useful in the convalescent stages of other diseases arising from indigestion."

Further misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight); and, Section 502 (c), the information required by law to appear upon the label, namely, the names of the active ingredients of the article, was not placed thereon with such conspicuousness and in such terms as to render it likely to be understood by the ordinary individual under customary conditions of purchase and use since the names of such active ingredients were interspersed among the names of inert ingredients.

DISPOSITION: February 14, 1951. Default decree of condemnation and destruction.